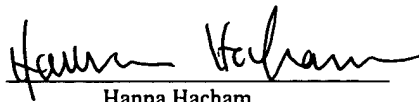


I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231, on December 19, 2001.

Date:

12-19-01

By:

  
Hanna Hacham

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of SHANAZ H. DAIRKEE, et al.

Serial No.: 09/816,460 /

Examiner: Not Yet Assigned

Confirmation No.: 6434

Art Unit: 1643

Filed: March 23, 2001

For: PROGNOSTIC METHODS FOR BREAST CANCER

Attn: Manager, Application Branch  
Commissioner for Patents and Trademarks  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCES  
WHICH WAS SENT IN ERROR**

Please note that the Notice to Comply with Requirements for Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed November 29, 2001, a copy of which is enclosed, was sent to us in error.


The enclosed Error Report refers to Serial No. 09/804,014 not to the present application Serial No. 09/816,460. Serial No. 09/804,014 has no relationship to the present application.

Accordingly, no substitute Sequence listing in CRF or statement is believed required in the present application.

Cooley Godward LLP  
Attn: Patent Group  
Five Palo Alto Square  
3000 El Camino Real  
Palo Alto, CA 94306-2155  
Tel: (650) 843-5000  
Fax: (650) 857-0663  
ML:hh

Respectfully submitted,  
COOLEY GODWARD LLP

By:

  
Marcella Lillis, Ph.D.  
Reg. No. 36,583



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/816,460	03/23/2001	Shanaz H. Dairkee	CPMC-010/00US

23419  
COOLEY GODWARD, LLP  
3000 EL CAMINO REAL  
5 PALO ALTO SQUARE  
PALO ALTO, CA 94306



CONFIRMATION NO. 6434

## FORMALITIES LETTER



\*OC000000007133565\*

Date Mailed: 11/29/2001

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

FILE SEQUENCE LISTING RECEIVED  
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DUE: 29 JAN 02  
EOL: 29 MAY 02

DEC 10 2001

COOLEY GODWARD LLP



## UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/816,460	03/23/2001	Shanaz H. Dairkee	CPMC-010/00US

23419  
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CONFIRMATION NO. 6434

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For questions regarding compliance to these requirements, please contact:

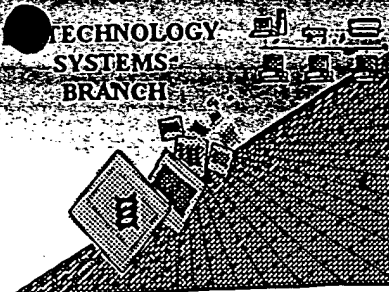
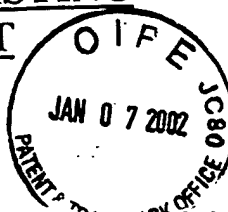
- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

## RAW SEQUENCE LISTING ERROR REPORT



The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/804014  
Source: O I F E  
Date Processed by STIC: 09/19/01

**THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.**

**PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:**

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,**
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY**

**FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.**

**FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.**

**PATENTIN 2.1 e-mail help: [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or phone 703-306-4119 (R. Wax)**

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**TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.0 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW:**

### **Checker Version 3.0**

The Checker Version 3.0 application is a state-of-the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 - 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.

Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO). Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

**Checker Version 3.0 can be down loaded from the USPTO website at the following address:**

**<http://www.uspto.gov/web/offices/pac/checker>**



OIPE

RAW SEQUENCE LISTING  
PATENT APPLICATION: US/09/804,014

DATE: 09/19/2001  
TIME: 13:53:55

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Output Set: N:\CRF3\09192001\I804014.raw

3 <110> APPLICANT: Li, Li  
4 Padigaru, Muralidhara  
5 Vernet, Corine  
6 Fernandes, Elma  
7 Shimkets, Richard  
8 Spaderna, Steven  
9 Majumder, Kumud  
11 <120> TITLE OF INVENTION: Novel Polypeptides and Nucleic Acids Encoding Same  
13 <130> FILE REFERENCE: 15966-721 US  
15 <140> CURRENT APPLICATION NUMBER: 09/804,014  
C--> 16 <141> ~~CURRENT FILING DATE: 2001-09-07~~  
18 <150> PRIOR APPLICATION NUMBER: 60/188,316  
19 <151> PRIOR FILING DATE: 2000-03-10  
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22 <151> PRIOR FILING DATE: 2000-03-10  
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28 <151> PRIOR FILING DATE: 2000-03-14  
30 <150> PRIOR APPLICATION NUMBER: 60/190,401  
31 <151> PRIOR FILING DATE: 2000-03-17  
33 <150> PRIOR APPLICATION NUMBER: 60/190,231  
34 <151> PRIOR FILING DATE: 2000-03-17  
36 <160> NUMBER OF SEQ ID NOS: 75  
38 <170> SOFTWARE: PatentIn Ver. 2.1

Does Not Comply  
Corrected Diskette Needed

*Errored*

*Sequence indicates  
1949 nucleotides in  
sequence "one". Found  
only 594 nucleotides  
in the sequence*

#### ERRORED SEQUENCES

40 <210> SEQ ID NO: 1  
41 <211> LENGTH: 1949  
42 <212> TYPE: DNA  
43 <213> ORGANISM: Homo sapiens  
45 <400> SEQUENCE: 1  
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48 tgcctccta agaaatctgc ccagtgcctt agatacaaga aacctgagtg ccagagtgc 180  
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53 ctgccatag gaggaggtc tggagtcctg ctctgtgtgg tccaggtcct tccaccctg 480  
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E--> 55 caagaagtgc cagttgatca atgaataaat aaacgagcct atttctctt gcac 594

VERIFICATION SUMMARY

PATENT APPLICATION: US/09/804,014

DATE: 09/19/2001

TIME: 13:53:56

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L:2096 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:40